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12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14
15 TESLA, INC., a Delaware corporation,

16 Case No. 3:18-cv-296

17 Plaintiff,

18 vs.
19 MARTIN TRIPP, an individual,

20 Defendant.

21 **DECLARATION OF JOSHUA A. SLIKER**
22 **IN SUPPORT OF PLAINTIFF TESLA,**
23 **INC.'S EMERGENCY MOTION FOR**
24 **AUTHORIZATION TO ISSUE DOCUMENT**
25 **PRESERVATION SUBPOENAS**

26 **DECLARATION OF JOSHUA A. SLIKER**

27 I, Joshua A. Sliker, declare as follows:

28 1. I am an attorney at law duly licensed to practice before all of the courts in the State
1 I am a member of the law firm of Jackson Lewis P.C., counsel of record for Plaintiff
2 Tesla, Inc. in this action. I have personal knowledge of the facts set forth in this Declaration and, if
3 called as a witness, could and would testify competently to such facts under oath.

4 2. On June 18, 2018, Tesla sent document preservation requests to Apple, Inc. and
5 Microsoft Corporation. True and correct copies of those requests are attached hereto as **Exhibit 1**
6 and **Exhibit 2**, respectively.

3. On June 19, 2018, Tesla received a response to the preservation request to Apple, a true and correct copy of which is attached here as **Exhibit 3**. As of the date of this Declaration, Tesla has not yet received a response from Microsoft.

4. On June 21, 2018, I sent renewed preservation requests to Apple and Microsoft. True and correct copies of these requests are attached hereto as **Exhibit 4** and **Exhibit 5**, respectively. As of the date of this Declaration, Tesla has not yet received any response to these renewed requests.

8 5. Tesla requires immediate authorization to issue the document preservation
9 subpoenas attached hereto as **Exhibit 6, Exhibit 7, and Exhibit 8** to ensure that critical evidence of
10 Tripp's unlawful activities is not destroyed before discovery even commences, thereby depriving
11 Tesla of evidence it may need to prove its case and to identify third parties to which Tesla's
12 confidential and trade secret information has been transferred.

13 6. Tesla has redacted certain personal information in the attachments to this
14 Declaration to preserve the confidentiality of Mr. Tripp's and individual Tesla employees' contact
15 information.

16 7. Tripp has not yet appeared in this action, and I am unaware of whether he has
17 retained counsel to represent him in this matter.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is
19 true and correct.

20 Executed on this 22nd day of June, 2018, at Las Vegas, Nevada.

/s/ Joshua A. Sliker
Joshua A. Sliker